

Total No. of printed pages = 7

TR/TSJ/L-I/15

**LAW**

Paper : I

Full Marks – 100

Time – Three hours



.The figures in the margin indicate full marks for the questions.

Answer must be written in English only.

Candidates are required to give their answers in their own words as far as practicable.

**GROUP – A**

Four options are given against each of the following ten questions. Select the single best/correct option and write it in the answer script by pen only.

Each question carries one mark :  $1 \times 10 = 10$

Example : Section 53-A of the Transfer of Property Act deals with

- (a) doctrine of election
- (b) doctrine of lis pendence
- (c) doctrine of part performance
- (d) None of these

Answer : (c) doctrine of part performance

[Turn over

1. (i) By which of the following Constitutional Amendments Article 21-A on right to education has been added in the Constitution ?

- (a) 85th Amendment
- (b) 86th Amendment
- (c) 87th Amendment
- (d) None of these

(ii) In which of the following cases the Supreme Court of India has observed sexual harassment in the workplace as a violation of human rights ?

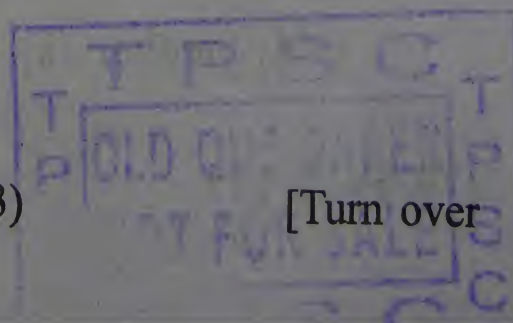
- (a) Vishaka Vs. State of Rajasthan
- (b) Kapila Hingorani Vs. State of Bihar
- (c) Ahmed Khan Vs. Shahbano Begam
- (d) None of these

(iii) The principle of basic structure of the Constitution was established in :

- (a) Golak Nath Vs. State of Punjab
- (b) Sajjan Sing Vs. State of Rajasthan
- (c) S. R. Bommai Vs. Union of India
- (d) None of these



- (iv) Under Order XIII, Rule 1 of Code of Civil Procedure, all the documentary evidence in original by the parties, must be filed :
- (a) at or before the settlement of issues
  - (b) after the settlement of issues
  - (c) at the time of evidence
  - (d) None of these
- (v) Amendment in pleading shall be effective :
- (a) from the date of the pleading
  - (b) from the date of application
  - (c) from the date of order
  - (d) None of these
- (vi) Which one of the following is not an actionable claim under the Transfer of Property Act, 1882 ?
- (a) A share in partnership
  - (b) A claim for return of earnest money
  - (c) A claim for arrears of rent
  - (d) A copyright



(vii) Under the Transfer of Property Act, 1882

- (a) the salary of a public officer can be transferred
- (b) the salary of a public officer can not be transferred
- (c) no provision regarding the transfer of salary of a public officer is found in the act
- (d) None of these

(viii) Which of the following is not a movable property within the Transfer of Property Act, 1882 ?

- (a) Standing timber
- (b) Copyright
- (c) Right to take fish from a lake
- (d) Growing crops

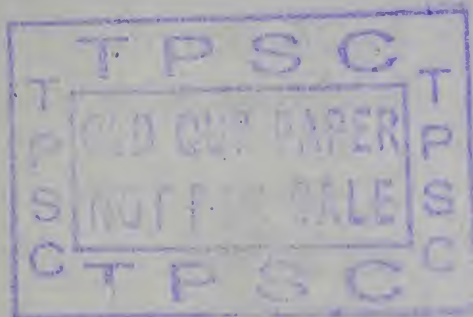
(ix) Under the Indian Contract Act consideration

- (a) may proceed from the promisee
- (b) may proceed from any other person
- (c) both (a) and (b)
- (d) neither (a) nor (b)



(x) The damages under Section 73 of Indian Contract Act are :

- (a) liquidated
- (b) compensatory
- (c) penal
- (d) None of these.



08.06.2017

### GROUP – B

Answer any *ten* questions.

Each question carries five marks :  $10 \times 5 = 50$

2. Explain the meaning of collective responsibility under the Constitution of India.
3. Discuss the power of the President to grant pardon under the Constitution of India.
4. Is 'Preamble' an integral part of the Constitution ? Discuss with the help of Supreme Court judgments.
5. Discuss the mode of determination of lease.
6. Define gift. What are the modes of transfer of gift ?

7. Explain the doctrine 'Once a mortgage always a mortgage'.
8. 'A court which executes a decree, cannot go behind it.' Discuss the statement briefly.
9. What do you understand by misjoinder of parties ?
10. Under what circumstances can a court dispose of a suit at its first hearing ?
11. "Agreement in restraint of trade is void". Discuss.
12. Discuss the law relating to "anticipatory breach of contract."
13. What are the exceptions to the general rule that a stranger to a contract cannot sue ?

#### GROUP - C

Answer any *five* questions.

Each question carries eight marks :  $5 \times 8 = 40$

14. Discuss the circumstances where upon the Parliament can legislate on State subjects.



15. What are the effects of National Emergency under the Constitution of India ?
16. What is an exparte decree ? Discuss the remedies available to a party against whom an exparte decree has been passed.
17. How time and place for performance of contract is determined ?
18. Discuss the law relating to fraudulent transfer as provided under the Transfer of Property Act with examples.
19. Right of alienation is incidental to and inseparable from beneficial ownership of property. – Explain.

